



Rep. Sue Scherer

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1 AMENDMENT TO HOUSE BILL 3764

2 AMENDMENT NO. _____. Amend House Bill 3764, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Department of Central Management Services
6 Law of the Civil Administrative Code of Illinois is amended by
7 changing Sections 405-5 and 405-280 as follows:

8 (20 ILCS 405/405-5) (was 20 ILCS 405/35.2)

9 Sec. 405-5. Definitions.

10 (a) In this Law:

11 "Department" means the Department of Central Management
12 Services.

13 "Director" means the Director of Central Management
14 Services.

15 (b) In paragraphs (1) and (2) of Section 405-10, ~~and in~~
16 Section 405-15, and in Section 405-280, "State agency", whether

1 used in the singular or plural, means all departments,
2 officers, commissions, boards, institutions, and bodies
3 politic and corporate of the State. The term, however, does not
4 mean the judicial branch, including, without limitation, the
5 several courts of the State, the offices of the clerk of the
6 supreme court and the clerks of the appellate court, and the
7 Administrative Office of the Illinois Courts, nor does it mean
8 the legislature or its committees or commissions.

9 (Source: P.A. 94-295, eff. 7-21-05.)

10 (20 ILCS 405/405-280) (was 20 ILCS 405/67.15)

11 Sec. 405-280. State garages; passenger cars.

12 (a) To supervise and administer all State garages used for
13 the repair, maintenance, or servicing of State-owned motor
14 vehicles except those operated by any State college or
15 university or by the Illinois Mathematics and Science Academy;
16 and to acquire, maintain, and administer the operation of the
17 passenger cars reasonably necessary to the operations of the
18 executive department of the State government. To this end, the
19 Department shall adopt regulations setting forth guidelines
20 for the acquisition, use, maintenance, and replacement of motor
21 vehicles, including the use of ethanol blended gasoline
22 whenever feasible, used by the executive department of State
23 government; shall occupy the space and take possession of the
24 personnel, facilities, equipment, tools, and vehicles that are
25 in the possession or under the administration of the former

1 Department of Administrative Services for these purposes on
2 July 13, 1982 (the effective date of Public Act 82-789); and
3 shall, from time to time, acquire any further, additional, and
4 replacement facilities, space, tools, and vehicles that are
5 reasonably necessary for the purposes described in this
6 Section.

7 (b) The Department shall evaluate the availability and cost
8 of GPS systems that State agencies may be able to use to track
9 State-owned motor vehicles.

10 (c) The Department shall distribute a spreadsheet or
11 otherwise make data entry available to each State agency to
12 facilitate the collection of data for publishing on the
13 Department's Internet website. Beginning June 30, 2016, each
14 State agency shall report the information required in this
15 subsection to the Department within 60 days after the end of
16 the fiscal year. If a State agency fails to report the
17 information within 60 days after the end of the fiscal year,
18 the Department shall immediately take control of at least 5
19 vehicles controlled by the non-reporting State agency, or fewer
20 vehicles only if the non-reporting State agency controls fewer
21 than 5 vehicles. The vehicles seized by the Department shall be
22 the passenger vehicles to which the 5 highest salaried persons
23 in the non-reporting State agency who have access to vehicles
24 have access, but shall in no case be emergency vehicles. The
25 Department shall only return the vehicles upon the State
26 agency's fulfillment of the reporting requirements of this

1 subsection. ~~Each State agency shall cooperate with the~~
2 ~~Department in furnishing the data necessary for the~~
3 ~~implementation of this subsection within the timeframe~~
4 ~~specified by the Department.~~ Each State agency shall be
5 responsible for the validity and accuracy of the data provided.
6 Beginning on November 1, 2016, and each November 1 thereafter
7 ~~July 1, 2013,~~ the Department shall make available to the public
8 on its Internet website the following information for the
9 previous fiscal year:

10 (1) vehicle cost data, organized by individual vehicle
11 and by State agency, and including repair, maintenance,
12 fuel, insurance, and other costs, as well as whether
13 required vehicle inspections have been performed; ~~and~~

14 (2) an annual vehicle breakeven analysis, organized by
15 individual vehicle and by State agency, comparing the
16 number of miles a vehicle has been driven with the total
17 cost of maintaining the vehicle; ~~and~~

18 (3) the number of miles each car was driven; and

19 (4) the purpose each vehicle served.

20 (d) Beginning on the effective date of this amendatory Act
21 of the 97th General Assembly, and notwithstanding any provision
22 of law to the contrary, the Department may not make any new
23 motor vehicle purchases until the Department sets forth
24 procedures to condition the purchase of new motor vehicles on
25 (i) a determination of need based on a breakeven analysis, and
26 (ii) a determination that no other available means, including

1 car sharing or rental agreements, would be more cost-effective
2 to the State. However, the Department may purchase motor
3 vehicles not meeting or exceeding a breakeven analysis only if
4 there is no alternative available to carry out agency work
5 functions and the purchase is approved by the Manager of the
6 Division of Vehicles upon the receipt of a written explanation
7 from the agency head of the operational needs justifying the
8 purchase.

9 (e) On or before December 31, 2016 and each December 31
10 thereafter, except as provided in this subsection (e), the
11 Director shall deem any general purpose passenger and light
12 duty vehicles driven under 7,000 miles in a fiscal year as
13 surplus property and begin the process for disposing of the
14 vehicle provided for in the State Property Control Act for
15 transferable property. No vehicle purchased during the
16 previous fiscal year shall be sold pursuant to this Section.
17 Notwithstanding any other provision of law, vehicles with
18 remaining useful life may be recycled into the State vehicle
19 fleet to replace mission critical vehicles with higher
20 maintenance costs to reduce the overall cost of maintaining the
21 fleet. If a passenger vehicle contains specialty equipment that
22 cannot be removed and would render the vehicle unlawful for
23 private use on a public roadway, the vehicle shall not be sold
24 to a private person or entity, but must be given to another
25 State agency or sold to another governmental body for which use
26 of the vehicle is legal. This subsection (e) shall not apply to

1 police or emergency vehicles, vehicles with specialty
2 equipment installed, vehicles used by any State agency for
3 undercover operations, vehicles required in a collective
4 bargaining agreement, or vehicles for which a State employee's
5 personal vehicle cannot be substituted without causing
6 excessive wear and tear to the personal vehicle in the opinion
7 of the Director. If the Director opts not to sell a vehicle
8 pursuant to the exceptions provided herein, the Director shall
9 file a report with the Clerk of the House, the Minority Leader
10 of the House, the Secretary of the Senate, the Minority Leader
11 of the Senate, and the Governor on or before December 31 of
12 each year explaining why the exceptions herein provided applied
13 to the vehicle. Proceeds from the sale of these vehicles shall
14 be deposited in the State Surplus Property Revolving Fund.

15 (f) For the purposes of this Section:

16 "General purpose passenger vehicles" mean cars, minivans,
17 sport utility vehicles, crossovers, or other vehicles with not
18 more than a 10 passenger capacity.

19 "Light duty vehicles" means vans, pickups or trucks with
20 8,000 lbs or less gross vehicle weight rating.

21 (Source: P.A. 97-922, eff. 1-1-13.)

22 Section 99. Effective date. This Act takes effect upon
23 becoming law."